

TRANSPORTATION CABINET
Department of Highways
Division of Maintenance
(As Amended at ARRS, December 9, 2021)

603 KAR 3:100. Noxious weeds and invasive plants to be eradicated from rights-of-way.

RELATES TO: KRS 176.051

STATUTORY AUTHORITY: KRS 176.051

NECESSITY, FUNCTION, AND CONFORMITY: KRS 176.051 requires the Transportation Cabinet to eradicate noxious weeds and invasive plants from state-owned rights-of-way and establishes a list of noxious weeds and invasive plants that shall be eradicated by the department. KRS 176.051(4)(a) authorizes the cabinet to promulgate an administrative regulation to add or remove noxious weeds and invasive plants from the list established in KRS 176.051(1). This administrative regulation adds and deletes noxious weeds and invasive plants from the list established in KRS 176.051(1) in consideration of the criteria established in KRS 176.051(4)(a)1. through 4.

Section 1. (1) Noxious weeds and invasive plants shall be added to the list established in KRS 176.051(1), including:

(a) Spotted knapweed; and

(b) Cutleaf teasel. ~~]; and~~

~~(c) The thistles *Cirsium arvense* and *Carduus nutans*, commonly known as Canada thistles and Musk (nodding) thistles, respectively.]~~

(2) Giant foxtail ~~[Noxious weeds and invasive plants]~~ shall be deleted from the list established in KRS 176.051(1) ~~], including:~~

~~(a) Giant foxtail; and~~

~~(b) The thistles *Cirsium arvense* and *Carduus nutans*, commonly known as Canada thistles and nodding thistles, respectively].~~

Section 2. Review. The department shall review the list of noxious weeds and invasive plants in this administrative regulation as established in KRS 176.051(4)(b).

CONTACT PERSON: Larisa Plecha, Staff Attorney III, Transportation Cabinet, Office of Legal Services, 200 Mero Street, Frankfort, Kentucky 40622, phone (502) 564-7650, fax (502) 564-5238, email larisa.plecha@ky.gov.